



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,571	11/24/2003	Kamesh Akundi	CISCP353/7974	5786
22434	7590	02/08/2007		
BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER TRUONG, THANHNGA B	
			ART UNIT 2135	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/721,571	Applicant(s) AKUNDI ET AL.	
	Examiner Thanhnga B. Truong	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Thanhnga B. Truong
AU2135

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/11/5/9/05/1/31/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the communication filed on November 24, 2003. Claims 1-22 are pending. At this time, claims 1-22 are rejected.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on March 11, 2005; May 9, 2005; and January 31, 2007 is acknowledged. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slemmer (US 6,240,533 B1), and further in view of Maufer et al (US 7,143,188 B2).

a. *Referring to claim 1:*

i. Slemmer teaches a firewall, comprising:

(1) a first port configured for communication with a first device within a first network (**see Figures 4 & 5 and further details on column 4, line 52 of Slemmer**);

(2) a second port configured for communication with a second device within the first network (**see Figures 4 & 5 and further details on column 4, lines 52-53 of Slemmer**);

(3) a third port configured for communication between the first network and a second network (**see Figures 4 & 5 and further details on column 4, lines 51-58 of Slemmer**); and

(4) at least one processor configured to: determine that a first portion of the incoming packets should be bridged, the first portion having a first source address and a first destination address within the first network (**column 4, lines 7-32 of Slemmer**);

(5) apply a first screening process to the first portion (**column 4, lines 32-41 of Slemmer**);

(6) determine that a second portion of the incoming packets should be routed, the second portion having a second source address or a second destination address outside the first network; and apply a second screening process to the second portion (**column 4, lines 42-67 through column 5, lines 1-10 of Slemmer**).

ii. Although Slemmer teaches a firewall, Slemmer is silent on the capability of showing the source address (if indeed is inherently in Slemmer). On the other hand, Maufer teaches the source and destination address (**column 1, lines 40-62; column 3, lines 60-67 of Maufer**).

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the invention of Slemmer (if indeed is not inherently) with the teaching of Maufer to form a packet (**column 3, lines 59-60 of Maufer**).

iv. The ordinary skilled person would have been motivated to:

(1) have modified the invention of Slemmer (if indeed is not inherently) with the teaching of Maufer to enhanced security for communication over a network, and more particularly to integration of Network Address Translation (NAT) with Internet Protocol Security (IPSec) (**column 1, lines 8-11 of Maufer**).

b. Referring to claim 2:

i. Slemmer further teaches:

(1) wherein the at least one processor is configured to control traffic between the first device and the second device according to a spanning tree protocol (**column 3, lines 54-67 through column 4, lines 1-3 of Slemmer**).

c. Referring to claim 3:

i. Slemmer further teaches:

(1) wherein the at least one processor is configured to control traffic between the first device and the second device according to one or more fields in a layer 2 header of a packet (**column 3, lines 54-67 through column 4, lines 1-3; column 4, lines 30-32 of Slemmer**).

d. Referring to claim 4:

i. Slemmer teaches:

(1) wherein the at least one processor is configured to perform an initial check on a packet, wherein the procedures of the initial check are selected from the group consisting of checking for broadcasting, multicasting and Internet protocol fragments (**column 4, lines 59-67 through column 5, lines 1-11 of Slemmer**).

e. Referring to claim 5:

i. The combination of teaching between Slemmer and Maufer teaches the claimed subject matter. Maufer further teaches:

(1) wherein the at least one processor is configured to apply the first screening process according to security policies implemented at one or more of layers 3 through 7 (**column 2, lines 45-67 of Maufer**).

f. Referring to claims 6-7:

i. These claims have limitations that is similar to those of claim 5, thus they are rejected with the same rationale applied against claim 5 above.

g. Referring to claim 8:

i. This claim has limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

h. Referring to claims 9-12:

i. These claims consist a method of implementing a firewall in claim 1, thus they are rejected with the same rationale applied against claims 1, 4-5 above.

i. Referring to claims 13-16:

Art Unit: 2135

i. These claims consist a computer program embodied in a machine-readable medium, the computer program comprising instructions for controlling a firewall to implement claim 1, thus they are rejected with the same rationale applied against claims 1, 4-5 above.

j. Referring to claim 17:

i. The combination of teaching between Slemmer and Maufer teaches the claimed subject matter. Maufer further teaches:

(1) further comprising a control plane configured to build a bridge table (**see figures 5A-B and more details in column 3, lines 64-67; column 5, lines 57-67 through column 6, lines 1-6 of Maufer**).

kj. Referring to claim 18:

i. The combination of teaching between Slemmer and Maufer teaches the claimed subject matter. Maufer further teaches:

(1) wherein the control plane is further configured to inspect one or more of DHCP, ARP or OSPF packets (**column 1, lines 40-48; column 7, lines 2-12 of Maufer**).

l. Referring to claim 19:

i. The combination of teaching between Slemmer and Maufer teaches the claimed subject matter. Maufer further teaches:

(1) wherein the control plane is further configured to builds a routing table (**see figures 5A-B and more details in column 3, lines 64-67; column 5, lines 57-67 through column 6, lines 1-6 of Maufer**).

m. Referring to claim 20:

i. The combination of teaching between Slemmer and Maufer teaches the claimed subject matter. Maufer further teaches:

(1) further comprising a data plane configured to enforce screening policies (**column 2, lines 45-67 of Maufer**).

n. Referring to claim 21:

i. The combination of teaching between Slemmer and Maufer teaches the claimed subject matter. Maufer further teaches:

Art Unit: 2135

(1) wherein the data plane is further configured to determine whether to bridge or route packets (**column 6, lines 7-21 of Maufer**).

o. Referring to claim 22:

i. The combination of teaching between Slemmer and Maufer teaches the claimed subject matter. Maufer further teaches:

(1) wherein the data plane is further configured to rewrite packet headers before transmitting packets (**column 2, lines 45-67**).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Syvanne et al (US 2003/0149766 A1) discloses the invention relates to processing configuration of a network node, such as for example a firewall, and for sharing the configuration management between several administrators (see abstract).

b. Chen et al (US 7,093,283) discloses a method and apparatus for deploying configuration instructions to security devices in order to implement a security policy on a network (see abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Application/Control Number: 10/721,571

Page 7

Art Unit: 2135

TBT

January 30, 2007

Chanhaya B. Tin
AU2135